HON'BLE SHRI G.S. SINGHVI, THE CHIEF JUSTICE

WRIT PETITION No.17941 of 1996

Between:

Smt. Vuppunuthala Suryamma. … Petitioners

and

The District Collector, Khammam

District and three others. … Respondents

: O R D E R :

Counsel for the Petitioner : Sri Mohd. Islamuddin Ansari

for Sri Ghanta Rama Rao.

Counsel for Respondents 1 to 3 : Government Pleader for

Revenue.

Counsel for Respondent No.4 : None.

Dated: 14th June, 2006

In this petition, the petitioners have prayed for restraining the respondents from interfering with their possession over land measuring Ac.10.00 comprised in Survey No.578 situated in Village Sudimalla, EYllendu Mandal, Khammam District.

In the affidavit filed by petitioner No.2 V. Radha Krishna, it has been averred that 1st petitioner Smt. Vuppunuthala Suryamma, W/o Late V. Ramaswamy had purchased 6 acres of land comprised in Survey No.578 vide registered sale deed dated 9.3.1966 and his own father purchased
4 acres of land vide registered sale deed dated 26.10.1970. Petitioner No.2 has further averred that due to the pressure brought by 4th respondent, who happens to be local Member of the Legislative Assembly, the respondents are trying to dispossess them from the land comprised in Survey No.578. Still further, he has

averred that if the government wants to acquire their land, then it must do so by following the procedure prescribed under the Land Acquisition Act, 1894.

In the counter-affidavit filed by Shri P. Prakasa Rao, the then Mandal Revenue Officer, Yellandu, it has been averred that total land comprised in Survey No.578 is Ac.330-11 gts. Out of this, an extent of Ac.164.03 gts was assigned to Degree College. It has been further averred that the land allotted to the Degree College belongs to the government and, therefore, there is no question of initiating acquisition proceedings in respect of that land.

I have heard learned counsel for the parties and perused the record. Learned Government Pleader for Land Acquisition submits that the land belonging to the petitioner is far away to the land allotted to the Degree College and respondents 1 to 3 are not going to interfere with their possession.

In view of the statement made by the learned Government Pleader, the Writ petition is disposed of as infructuous.

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14th June, 2006 G.S. SINGHVI, CJ

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